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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,359	08/02/2001	Brent R. Collyer	715P148	6031

26568 7590 10/10/2002

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EXAMINER

BUTLER, DOUGLAS C

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 10/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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2

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

- ☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice of Draftsman's Patent Drawing Review, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-21 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-21 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

PART III

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "sleeveless" of claim 1, line 8, claim 8, line 8, claim 14, line 8 and claim 18, line 8 is vague and ambiguous. Claims 4, 11, 16 and 20 recite the feature that the "sleeveless bushing" includes a "sleeve" which is a contradiction. See the detailed description at page 10, paragraph 42 which states that the sleeveless bushing 44 includes a sleeve 46 with the sleeve adhering to the sleeveless bushing. Re applicants' attempt to distinguish between sleeve, sleeveless, bushing, etc., the prior art is not necessarily in agreement with applicants' term. Note that elements 60, 40, etc., of Figs. 4 and 7 are sleeves as broadly interpretable. Note the sleeves shown in each of instant Figs. 3, 4, 6, 7, 13A, 13B, etc.

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4. The claims are interpretable as best understood. As such, the examiner holds

“sleeveless” as a meaningless term in the claims in defining over the prior art.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 5, 6, 7, 8, 12, 13, 14, 17, are rejected under 35 U.S.C. 102(b) as being anticipated by German 2,358,225 to Metzeler.

Fig. 3 of Metzeler discloses a bushing 21 which is ribbed and also grooved to interlock with grooves and ribs, respectively, of a bushing receiving bore 23.

Note that the distinctions between slot vs. groove, rib vs. protrusion etc., are not well defined in a patentable sense.

8. Claims 1-7, 14-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanders et al (1835575).

The bushing 7 of Fig. 3 of Sanders et al has ribs or protrusions associated with notches, grooves, slots or openings 10.

9. Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanders et al (1835575).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Sanders et al device to reverse the location of the ribs and grooves since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

10. Claims 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Chilton (1750346).

Note the ribbed portion 16 of the bushing receiving bore of element 15 of Figs. 2-3 of Chilton that cooperates with the bushing 20's grooved portion.

11. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chilton (1750346).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Chilton device to reverse the location of the ribs, protrusions relative to the grooves since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

12. Claims 14-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Humphrey et al (1940302).

Note holes 11, 11' in the bushing receiving bore for cooperation with protrusions 14 of bushing 12. Elements 11, 11' are readable as slots.

13. Note the rib or protrusion 42 of bushing 41 of Herbenar et al. (3392971) and ribs or protrusions 6 with grooves 5 of Powell (1772730).

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Butler whose telephone number is (703) 308-2575.

The examiner can normally be reached on Monday to Friday from 5:30 a.m. to 2 p.m.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Lavinder, can be reached on (703) 308-3421. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Summary of Claims: (A) Claims 1-21 rejected

(B) S.S.P. Three Months.

Butler/kl
October 7, 2002


DOUGLAS C. BUTLER
PRIMARY EXAMINER
AU 3683 10/8/02